

IOWA BROADCASTERS ASSOCIATION

FAST NEWS

TO: General Managers & All Department Heads

www.iowabroadcasters.com

6-9-06

ARE YOU REGISTERED YET?

The registration deadline for the **June 29th IBA Summer Convention & Sales Seminar** is fast approaching - June 22! The Annual IBA Awards Luncheon featuring new NAB President David Rehr is being held at the West Des Moines Marriott from 11:30am-1:00pm, along with sessions throughout the day on EEO, Webcasting, HD Radio and TV: Over the Air & Over the Web. A not to be missed all-day Sales Seminar with nationally known sales trainer Irwin Pollack will be held from 10am-4pm. Registration forms can be downloaded from the IBA website at www.iowabroadcasters.com. Again, the deadline for registration is June 22---Plan to join us!

IBA ANNUAL MEETING REMINDER

The **2006 IBA Annual Meeting** will take place at 3:30pm on **June 29** at West Des Moines Marriott. The meeting agenda will include our year-end state legislative report and election of the 2006/07 Board of Directors. All dues paying members are encouraged to attend.

NOMINATING COMMITTEE REPORT

The IBA Nominating Committee has announced the slate of officers for 2006/07. For President, Steve Martinson, General Manager of KIMT-TV; Vice-President, Rick Sellers, General Manager, KMRY; Treasurer, Joel McCrea, General Manager, Clear Channel Radio Des Moines; Nominated for Directors: John Phelan, KCRG-TV; Russ Crawford, President, KGRN; Carol Kuster, General Manager, KWBG, Boone. Remaining on the board for 2006/07: Immediate Past President Jim Field, General Manager, KJAN, Atlantic and Past Past President, Bill Wells, General Manager, Des Moines Radio Group. The 2006/07 board will be approved at the West Des Moines Marriott during the 3:30pm IBA Annual Meeting,

FROM THE LEGAL HOTLINE—FIREWORKS ADVERTISING

As July 4th approaches, we anticipate broadcasters will begin receiving calls from out of state fireworks vendors looking to buy time on Iowa stations. We receive a number of calls each year asking if it is "legal" to advertise the sale of fireworks in Iowa. Under Iowa law it is a simple misdemeanor if anyone "offers for sale, exposes for sale, sells at retail, or uses or explodes any fireworks." However, there is no statute in Iowa that prohibits the "advertising" of fireworks for sale either in the newspaper or by broadcasters. Some have questioned whether the language in the statute that says it is illegal for anyone to "offer" fireworks for sale means they cannot be advertised. In other words, does a broadcaster "offer" fireworks for sale because there is an advertisement on the air? We believe that the better answer is that there is no prohibition against the airing of any advertisements for the sale of fireworks and that the term "offer for sale" specifically refers to the persons selling the products, not the entity that carries the advertisement. There may be a "public policy" reason a broadcaster may chose to not air these advertisements—some believe that advertisement of an illegal activity is generally a bad idea. However, there is no legal reason an Iowa broadcaster cannot accept advertisements from out of state fireworks vendors. The IBA Legal Hotline is a free service to all dues paying IBA members...contact IBA hotline attorneys Gene LaSuer and Sharon Malheiro at [515-288-2500](tel:515-288-2500) or e-mail Gene.Lasuer@lawiowa.com / Sharon.Malheiro@lawiowa.com.

MULTICAST MUSTCARRY VOTE DELAYED

The vote on TV Multicast Must Carry has been delayed and rescheduled for June **21**. The new deadline to get comments filed is now close of business, **Wednesday, June 14th**. If you need any assistance in filing, please do not hesitate to contact either Ann Bobeck (202)429.5456 abobeck@nab.org or Joan Dollarhite jdollarhite@nab.org (202) 429-5462 in the NAB Legal Department. Thanks to all TV GMs who have already weighed in on this important issue!

UPTON WANTS INDECENCY SUMMIT

Now that Congress has raised the indecency fines tenfold, it will start working to come up with a clearer definition of what indecency is. Rep. Fred Upton (R-Mich.), co-sponsor of the original House bill said that he was "likely to have a working meeting with the FCC and a number of [his] colleagues who would like to see that pursued so that broadcasters know where the line is." He said it may be a public hearing and added: "I think you'll see a letter from me [to the FCC] in the next week or two, asking for in essence a summit, now that all five commissioners are in place, where we can sit down and actually work this thing out...I think that would be a good thing for all parties." During bill debate, Upton said he would work with the speaker to find a way to help clarify the FCC's indecency standard.

PRESIDENT APPLAUDS PASSAGE OF S.193, THE BROADCAST DECENCY ENFORCEMENT ACT

In response to Wednesday's passage of S.193, President Bush released the following statement: "I applaud the Congress for passing S.193, the Broadcast Decency Enforcement Act. I believe that government has a responsibility to help strengthen families. This legislation will make television and radio more family friendly by allowing the FCC to impose stiffer fines on broadcasters who air obscene or indecent programming. I look forward to signing this important legislation into law."